

## **REG-8-006 RESIDENT CONTRACTOR'S LIABILITY**

006.01 Any resident contractor contracting with any nonresident subcontractor shall withhold sufficient money on the contract or contracts to guarantee that all taxes, including contributions due under the Employment Security Law, accruing to the State of Nebraska and its political subdivisions will be paid when due. Failure to withhold such money will render the contractor directly liable for such taxes and contributions that the nonresident subcontractor may have owed.

(Section 77-3106, R.R.S. 1943. September 15, 1975.)

001.01 The sales tax is imposed upon the gross receipts from all sales, leases, or rentals of tangible personal property, warranties, guarantees, or service maintenance agreements made at retail in this state, the gross receipts of every person providing telephone, telegraph, gas, electricity, sewer and water service, a community or county antenna television service operator, an installer of telephone, telegraph, or community or county antenna television service, a person providing satellite programming, a retailer of intellectual or entertainment properties, the gross receipts from the sale of admissions in this state, and the gross receipts from renting or furnishing accommodations or lodging for periods of less than thirty days.

001.01A For the purposes of the sales and use tax regulations, the term property shall mean all tangible and intangible property, rights, licenses, and franchises subject to tax under Nebraska Revised Statutes section 77- 2703(1).

001.02 This tax is not upon the article sold, but upon the transaction called the sale. The term "sale" includes installment, conditional and credit sales, and includes any transfer of title or possession, segregation in contemplation of transfer of title or possession, exchange, barter, lease or rental, conditional sale, or otherwise in any manner or by any means for a consideration.

001.03 The amount of sales tax collected is a trust fund held by the collector that belongs to the state. Any sales tax that is improperly or erroneously collected also belongs to the state and must be remitted.

(Sections 77-3905(6), 77-2702.07, 77-2702.14, 77-2702.15, and 77-2703(1), R.S.Supp., 1993. May 14, 1994.)